THE HONOURABLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.5885 OF 2007

DATED 02.04.2007

BETWEEN

Sanaka Venkata Rao

… Petitioner

AND

Mandal Parishad Development Officer, Kollur Mandal,
Guntur District.

… Respondent

THE HONOURABLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.5885 OF 2007

ORDER:

The petitioner is aggrieved by the action of the respondent in not

considering the representations made by him on 10.02.2007 and 15.03.2007 for granting leasehold rights for operating ferry connecting Gajullanka Gram Panchayat in Guntur District to Srikakulam Gram Panchayat in Krishna District. He is also aggrieved by the action of the respondent in issuing auction notification, dated 02.03.2007, proposing to conduct auction on 26.03.2007. It is the case of the petitioner that in the auction conducted on 03.03.2006, he became highest bidder for lease of ferry point for a period of one year from 01.04.2006 to 31.03.2007. The auction was confirmed in his favour vide proceedings, dated 01.04.2006 and the petitioner allegedly deposited the entire amount. However, the petitioner allegedly could not run the boats due to insufficient water in the river and therefore, he made representations to extend the lease period. The same were not considered and impugned notification dated 02.03.2007 was issued for conducting auction on 26.03.2007 for the year 2007-2008.

After getting instructions, learned standing counsel for Gram Panchayats submits that in the relevant provisions of A.P.Gram Panchayats Act, 1964 as well as relevant Rules, there is no provision for extending lease to a lessee of the previous year. He, further, submits that auction was already held and the ferry point was already handed over to another person.

In view of the submission made by the learned standing counsel, petitioner cannot be given any relief. Even otherwise, in view of auction conducted already, the writ petition has become infructuous.

The writ petition is accordingly dismissed. No costs.

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(V.V.S.RAO,J)

02.04.2007.
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